ORIGINAL

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KEITH I. SCHORR and SUSAN SCHORR, In their own right and as personal representatives of the Estate of RYAN K. SCHORR,

FILED HARRISBURG, PA

FEB 262003

Plaintiffs,

MARY E. D'ANDREA, CLI

: No. 1:CV-01-0930

WEST SHORE REGIONAL POLICE COMMISSION, HOWARD DOUGHERTY, CUMBERLAND COUNTY, ROBERT GORIL and HOLY SPIRIT HOSPITAL,

VS.

: THE HONORABLE YVETTE KANE

Defendants.

DEFENDANTS WEST SHORE REGIONAL POLICE COMMISSION AND CHIEF HOWARD DOUGHERTY'S MOTION SEEKING AUTHORIZATION TO EXCEED THE PAGE LIMITS FOR THEIR BRIEF IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT

1. Rule 7.8(b) of the Local Rules of Civil Procedure for the United States District Court for the Middle District of Pennsylvania states that pretrial briefs may not exceed fifteen (15) pages or 5,000 words in length.

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- 2. Local Rule 7.8(b)(3) provides that in order to file a pretrial brief exceeding these limits, a defendant must file a motion seeking authorization to do so, specifying the length of the brief requested and filing such a motion at least two (2) working days before the brief is due.
- 3. The case at bar is complicated and involves multiple legal issues against multiple defendants, so that Defendants West Shore Regional Police Commission and Chief Howard Dougherty seek to file a brief not to exceed twenty-five (25) pages. *See* Order, dated Feb. 5, 2002 ("This case is placed on the Complex Case Management Track.").
- 4. Because Defendants West Shore Regional Police Commission and Chief Howard Dougherty's Brief In Support of Their Motion for Summary Judgment is due on Friday, February 28, 2003, Defendants are filing this Motion Seeking Authorization to Exceed Page Limits on Wednesday, February 26, 2003, which is at least two (2) days before the due date of the brief, pursuant to Local Rule 7.8(b).
- 5. Counsel for Defendants West Shore Regional Police Commission and Chief Howard Dougherty has conferred with all other parties' counsel concerning the instant motion and they have not opposed the request.

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Wherefore, Defendants West Shore Regional Police Commission and Chief Howard Dougherty's request that they be allowed to file a brief in support of their motion for summary judgment, not to exceed twenty-five (25) pages.

Respectfully submitted,

Dated: February 25, 2003

David J. MacMain (Atty. I.D. No. 59320) Gregory J. Hauck (Atty. I.D. No. 82958) MONTGOMERY, MCCRACKEN, WALKER & RHOADS, LLP 123 South Broad Street Philadelphia, PA 19109-1099 (215) 772-1500

Attorneys for Defendants West Shore Regional Police Commission and Chief Howard Dougherty

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing to be served, via first-class mail, postage prepaid, upon each of the following persons:

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Dated: February 25, 2003

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